

REMARKS

The foregoing amendments correct the formal matters noted by the Examiner, better conform the claim language with U.S. claim style and place the claims in condition for allowance. For convenience, the matters raised in the Office action are discussed below in the same order as presented by the Examiner.

With regard to priority, a verified translation of the priority application was filed with the present application. Accordingly, it is requested that the Examiner confirm the same or clarify any deficiency.

In reply to the rejections under 35 USC 112, second paragraph, each of claims 1, 3, 6, 7 and 10 - 12 have been amended to delete broad range or limitation recitations together with more narrow recitations. With regard to claim 23, the host office is defined throughout the specification including the paragraph bridging pages 6 and 7 of the specification. Claims 20-23 have been submitted to confirm the definitions of the various claim terms defined and illustrated in the specification.

The rejection of claims 1 - 19 under 35 USC 103(a) as being unpatentable over Metso et al. in view of Buhrmann et al. is in error and, in any event, overcome by the foregoing claim amendments. It is requested

that the Examiner reconsider and withdraw the rejection of these claims.

One of the most important features of the present invention is to store the data from the portable telephone in the data backup equipment provided in or connected to the host office. As noted above, the host office contemplates the base stations, the control offices and the portable telephone exchange stations, all of which are required for the user to talk over telephone between the portable telephone and other portable or fixed telephones. In accordance with the invention, the backup of data is made in association with the transmission of such voice signal so that the information is stored in the data backup equipment.

Initially, it is emphasized that each of independent claims 1, 6 and 11 recite automatic backup of data in association with telephone call operation between the portable telephone and the host station. Further, it is indicated that the data is automatically transmitted by the portable telephone to the host office when a voice signal begins to be delivered and received for a telephone call between the portable telephone and the host office via the radio signal. Accordingly, the data backup is automatic in association with telephone call operation, and it is

automatically transmitted by the portable telephone to the host office as transmission of a voice signal begins.

In the rejection, the Metso et al. patent is alleged to teach the foregoing method and apparatus, except for the transfer of information via a radio signal. However, the Metso method and apparatus do not require backup to automatically occur upon voice signal transmission.

With particular regard to backup, the personal computer 400 in Metso et al. is argued to correspond with the data backup equipment in the claimed host office. However, is emphasized that the portable computer 400 does not meet the claim limitations. The computer 400 does not serve as part of the communication process or apparatus between the mobile terminal 402 and the other communication instruments, and the transmission of backup data is not automatic.

More particularly, even if the data in the mobile terminal 402 may be stored in the personal computer 400, the data transmission from the mobile terminal 402 to the personal computer 400 is made by the user's manipulation of the personal computer (see column 7, lines 24-40). Metso et al. does not therefore teach automatic backup of the data from the portable

telephone to the host office in association with telephone calling (voice signal) as set forth in the claims.

The Buhrmann et al. teaching does not remedy the foregoing deficiency in Metso et al. Moreover, the Examiner specifically cites Buhrmann et al. in connection with the wireless communication link therein and its relationship to the claimed radio signal. However, it is emphasized that the wireless communication link in Buhrmann et al. does not correspond to the voice signal of the invention because the former is not associated with the user's talking over the telephone so as to cause the automatic backup of data in association with telephone operation as defined in the claims. The transfer of profile information via a wireless communication link in Buhrmann et al. is not suggestive of the automatic backup of data in association with a voice signal of a telephone communication as defined in the claims.

For the reasons set forth above, the rejection of claims 1-19 is in error and should be withdrawn.

The further rejections of various dependent claims are also deficient for the reasons set forth above. The Metso et al. and Buhrmann et al. patents do not disclose backup of data in association with a telephone

call operation with automatic data transmission when a voice signal of a telephone call is delivered and received. In the absence of the basic teachings, the limited teachings in respect to a timer in Buhrmann et al. are not suggestive of the claimed invention. For example, the timer of the present invention provides automatic backup of data even though a telephone call is not made on a regular or timely basis and no voice signal exists. The Metso et al. and Buhrmann et al. patents do not involve similar considerations and problems or suggest a combination of their teachings to meet the claimed invention.

For all of the foregoing reasons, claims 1 - 23 presently of record are in condition for final allowance and such action is requested.

If there are any fees required by this amendment, please charge the same to Deposit Account No. 16-0820, Order No. 34169.

Respectfully submitted,

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